



PATENT
Docket No. 399632003300

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on October 25, 2001.

Rebekah Werth
Rebekah Werth

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Alessandro SETTE et al.

Serial No.: 09/894,018

Filing Date: June 27, 2001

For: METHOD AND SYSTEM FOR
OPTIMIZING MINIGENES AND
PEPTIDES ENCODED THEREBY

Examiner: To be Assigned

Group Art Unit: To be aAssigned

TRANSMITTAL

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Attached hereto for filing are the following:

1. Response to Notice to file missing parts of nonprovisional application
2. Copy of Notice to file missing parts of nonprovisional application
3. A compact disc copy of Sequence Listing on CD-R
(COPY 1)
 - Machine format: IBM PC COMPATIBLE
 - Operating system: PC-DOS/MS-DOS
 - File contained on CD: 3996320033.txt (141KB)
 - Date recorded: October 25, 2001
4. A duplicate compact disc copy of Sequence Listing on CD-R
(COPY 2)
 - Machine format: IBM PC COMPATIBLE

-Operating system: PC-DOS/MS-DOS
-File contained on CD: 3996320033.txt (141KB)
-Date recorded: October 25, 2001

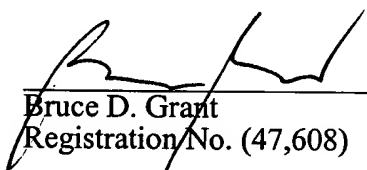
5. A computer readable form copy of Sequence Listing on CD-R (CRF COPY)
-Machine format: IBM PC COMPATIBLE
-Operating system: PC-DOS/MS-DOS
-File contained on CD: 3996320033.txt (141KB)
-Date recorded: October 25, 2001
6. Request for correction of drawings
7. Substitute set of drawings for Fig. 11A, 13A, 18A-N and 19A-E
8. Set of drawings with proposed changes in red
9. Return postcard

In the unlikely event that the Patent Office determines that extensions and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or fees due to our Deposit Account No. 03-1952 under Order No. 399632003300 The Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: October 25, 2001

By:


Bruce D. Grant
Registration No. (47,608)

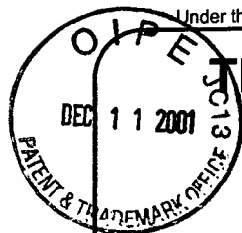
Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-7962
Facsimile: (858) 720-5125

Please type a plus sign (+) inside this box → +

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

67

Application Number

09/894,018

Filing Date

27 June 2001

First Named Inventor

Alessandro SETTE

Group Art Unit

Unknown

Examiner Name

Unknown

Attorney Docket No.

399632003300

ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers
(for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input checked="" type="checkbox"/> Drawing(s) (21 pages) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Reply (10 pages) | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declarations | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input checked="" type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address | Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts Declaration (combined with POA) |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | <input checked="" type="checkbox"/> Sequence Listing Transmittal |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input checked="" type="checkbox"/> CD, Number of CD(s) 3 | <input checked="" type="checkbox"/> Request for Correction of Drawings |
| <input checked="" type="checkbox"/> Response to Missing Parts/
Incomplete Application | Remarks | <input checked="" type="checkbox"/> Return-receipt postcard |
| <input checked="" type="checkbox"/> Response to Missing Parts
under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

Bruce D. Grant Reg. No. 47,608

or

Morrison & Foerster LLP

Individual Name

3811 Valley Centre Drive, Suite 500, San Diego, California 92130

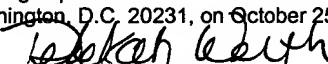
Signature

Date

October 25, 2001

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) Rebekah Werth

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FEE TRANSMITTAL FOR FY 2002

DEC 11 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/894,018

Filing Date 27 June 2001

First Named Inventor Alessandro SETTE

Examiner Name Unknown

Group Art Unit Unknown

TOTAL AMOUNT OF PAYMENT

(\$ 120.00

Attorney Docket No. 399632003300

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952, referencing 399632003300

Deposit Account Name Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	- 20** =	x	= \$
Multiple Dependent	- 3** =	x	= \$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)*

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	55.00
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 120.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Bruce D. Grant

Registration No. 47,608
(Attorney/Agent)

Telephone (858) 720-7962

Signature

Date October 25, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

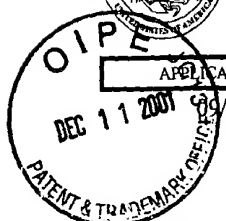
sd-63435



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/894,018	06/27/2001	Alessandro Sette	399632003300



Bruce Grant
Morrison & Foerster LLP
Suite 500
3811 Valley Centre Drive
San Diego, CA 92130-2332

RECEIVED

JUL 31 2001

CONFIRMATION NO. 7107

FORMALITIES LETTER



OC000000006341430

#4

Date Mailed: 07/25/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/14/2001 TBESHAH1 00000050 031952 09894018 FILED UNDER 37 CFR 1.53(b)
01 FC:205 65.00 CH Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

DOCKETED

REMINDER:

DUE DATE:

FINAL DUE DATE:


seq. data and
M/P response

9/25/01

2/25/02

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT
Docket No. 399632003300

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Rebekah Werth
Rebekah Werth

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Alessandro SETTE et al.

Serial No.: 09/894,018

Filing Date: June 27, 2001

For: METHOD AND SYSTEM FOR
OPTIMIZING MINIGENES AND
PEPTIDES ENCODED THEREBY

Examiner: To be Assigned

Group Art Unit: To be Assigned

REQUEST FOR CORRECTION OF DRAWINGS

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed are twenty one (21) substitute sheets of drawings for Figures 11A, 13A, 18A-N and 19A-E in connection with the above-identified application. In addition, please find enclosed a set of drawings showing the proposed changes in red.

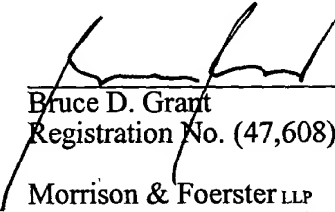
The Figures are amended to include sequence identification numbers which were inadvertently omitted at the time of filing. Applicants respectfully request the entry of these amendments.

In the unlikely event that the transmittal letter is separated from this request and the U.S. Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing to our **Deposit Account No. 03-1952**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: October 25, 2001

By:


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Registration No. (47,608)

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Suite 500
San Diego, California 92130-2332
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Facsimile: (858) 720-5125